

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

JUDITH YARRINGTON, ELIZABETH
CRAGAN, JULIA CRAIGHEAD and
CAROLYN GREEN, individually, and on
behalf of all others similarly situated,

Plaintiffs,

v.

SOLVAY PHARMACEUTICALS, INC.,

Defendant.

No. 09-CV-2261 (RHK/RLE)

**ORDER GRANTING PLAINTIFFS'
MOTION FOR APPROVAL OF
MODIFIED NOTICE, SUPPLEMENTAL
NOTICE PLAN, AND SETTING FINAL
APPROVAL HEARING**

WHEREAS, this Court has reviewed the Proposed Modified Notice and Proposed Supplemental Notice Plan, submitted by Plaintiffs on February 12, 2010, and the documents filed in support. Having considered the papers, and good cause appearing therefor,

IT IS HEREBY ORDERED:

1. The Modified Notice of Pendency and Proposed Settlement of Class Action (Modified Long Form Notice), the explanatory letter, the Internet banner advertisement, and the Modified Publication (Short Form) Notice, which are attached as Exhibits A, B, C, and D are hereby approved as to form.

2. As soon as practicable, the Settlement Administrator shall revise the Settlement website to reflect the Modified Long Form Notice and revised deadlines.

3. Within five (5) days of entry of this Order, the Settlement Administrator shall cause the publication of the Internet banner advertisements, and publication of the

Modified Publication Notice in three nationally distributed newspapers, as described in the February 12, 2010, Declaration of Leigh Anna Thomure.

4. Within five (5) days of entry of this Order, the Settlement Administrator shall cause a copy of the Modified Long Form Notice and explanatory letter to be mailed via U.S. Mail to each Settlement Class Member who requested that a claims packet be mailed in accordance with the Court's September 18, 2009 Order (Docket No. 14).

5. The Court finds that, along with the prior notice given to the Settlement Class pursuant to the Order entered September 18, 2009, the form of the Modified Notice to the Settlement Class, and the methods of dissemination to Members of the Settlement Class in accordance with the terms of this Order, constitute the best notice practicable under the circumstances and constitute valid, due, and sufficient notice to all Members of the Settlement Class, complying fully with the requirements of the laws and Constitution of the United States of America and any other applicable law.

6. Objections by any Settlement Class Member who has not opted out to: (A) the proposed Settlement contained in the Agreement and described in the Modified Publication Notice and Modified Long Form Notice; (B) the payment of fees and expenses to Settlement Class Counsel; and/or (C) entry of the Final Judgment, shall be considered by the Court at the Final Fairness Hearing if, no later than March 8, 2010, such objector files with the Court a notice of his or her objections, states the basis for such objections, and serves copies of the foregoing and all other papers in support of such objections on counsel for the Parties identified in the Modified Long Form Notice.

7. By March 11, 2010, Plaintiffs and Defendant shall file proof of publication of the modified notices as described in the Thomure Declaration. Plaintiffs shall also file any papers in response to any valid and timely objections with the Court, and shall serve copies of such papers upon each other and upon any objectors who have complied with the provisions of this Order.

8. A hearing (the “Final Fairness Hearing”) shall be held by the Court on March 16, 2010 at 9:00 a.m. in Courtroom 7A, United States District Court, 772 Federal Building, 316 N. Robert Street, St. Paul, Minnesota 55101 to consider and determine whether the proposed Settlement of the Action on the terms as set forth in the Settlement Agreement should be approved as fair, reasonable, adequate, and in the best interests of the Settlement Class members; whether Settlement Class Counsel’s fee and expense application, included as part of the Settlement, should be approved; and whether the Final Judgment approving the Settlement Agreement and Release should be entered.

Dated: February 12, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge